

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

No. CR 08-00222 WHA

v.

LUKE D. BRUGNARA,

Defendant.

**ORDER DENYING MOTION TO
REVOKE DETENTION ORDERS**

At today's hearing, both sides presented oral argument on defendant Luke D. Brugnara's motion to revoke two detention orders — one by Magistrate Judge Jacqueline Scott Corley, and the other by Magistrate Judge Nathanael Cousins. As part of that motion, defendant also sought to be released on bail conditions (Dkt. No. 294).


To be clear on today's ruling, the Court was attempting to fashion stringent conditions of release for arrangements at a halfway house that would protect the public from any further economic crimes by defendant. In considering such potential conditions, however, it became clear to the undersigned judge — and the Court so finds — that defendant would not honor any such conditions of release and that he would not be amenable to supervision. At hearing, he persistently engaged in outbursts and interruptions, against the repeated instruction of his counsel as well as this Court, and was later physically removed from the courtroom by the United States Marshals. Moreover, defendant has not met his burden of demonstrating by clear and convincing evidence that he would not pose an economic danger to the community. The undersigned judge is therefore convinced that there are no set of conditions that could be

1 fashioned for a release to a halfway house that would also protect the public from further
2 economic harm by defendant. The Court further finds by clear and convincing evidence that
3 defendant presents an economic danger to the community. *See United States v. Reynolds*, 956
4 F.2d 192 (9th Cir. 1992).

5 In light of the above, this order notes that it is unnecessary to make findings regarding
6 defendant's risk of flight and/or threat of physical violence.

7
8 **IT IS SO ORDERED.**

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10 Dated: June 30, 2014.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE